

JC973 U.S. PTO  
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09/19/01

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 16517.257

First Inventor Sherri M. BROWN, et al.

Title Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway

Express Mail Label No.

<b>APPLICATION ELEMENTS</b>		<b>ADDRESS TO:</b>	
See MPEP chapter 600 concerning utility patent application contents.		Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i>		8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>	
3. <input checked="" type="checkbox"/> Specification <span style="border: 1px solid black; padding: 2px;">[Total Pages 219]</span> <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (<i>if filed</i>)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>		a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input checked="" type="checkbox"/> paper</li> </ul> c. <input checked="" type="checkbox"/> Statements verifying identity of above copies	
4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="border: 1px solid black; padding: 2px;">[Total Sheets ]</span>		9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
5. Oath or Declaration <span style="border: 1px solid black; padding: 2px;">[Total Pages 15]</span> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d))  <i>(for a continuation/divisional with Box 18 completed)</i> </li> <li>i. <input checked="" type="checkbox"/> <b>DELETION OF INVENTOR(S)</b>            Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul>		10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of <i>(when there is an assignee)</i> Attorney	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>	
		12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
		13. <input checked="" type="checkbox"/> Preliminary Amendment	
		14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
		15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
		16. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
		17. <input type="checkbox"/> Other: _____	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No: 09 / 252,974

Prior application information: Examiner ZEMAN, M.

Group / Art Unit: 1631

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label		28381 (Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> Correspondence address below	
Name	David R. Marsh				
	June E. Cohan				
Address	ARNOLD & PORTER				
	555 12th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004-1206
Country	USA	Telephone	202-942-5000		Fax 202-942-5999

Name (Print/Type)	David R. Marsh / June E. Cohan	Registration No. (Attorney/Agent)	41,408 / 43,741
Signature	Sept. 19, 2001		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# ARNOLD & PORTER

202.942.5000  
202.942.5999 Fax  
555 Twelfth Street, NW  
Washington, DC 20004-1206

September 19, 2001

*Box Patent Application*

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Continuation Application  
Appl. No.: To Be Assigned  
Filed: Herewith  
For: Nucleic Acid Molecules and Other Molecules  
Associated with the Gibberellin Pathway  
Inventors: Sherri M. BROWN, *et al.*  
Atty. Docket: 16517.257

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office.

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Non-Provisional Application entitled:

**Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway**

and naming as inventors:

Sherri M. Brown, Gregory R. Heck and Jingdong Liu;

the application consisting of:

- a. A specification containing:
  - (i) 214 pages of a description prior to the claims;
  - (ii) 4 pages of claims (9 claims); and
  - (iii) a one (1) page abstract;
3. a Statement Regarding Sequence Submission;

4. the sequence listing in computer readable form (*i.e.*, CRF) (1 diskette);
5. a paper copy of the sequence listing (34 pages);
6. a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (PTO/SB/35);
7. Preliminary Amendment;
8. check No. 139309 in the amount of \$710 to cover the basic continuation filing fee; and
9. two (2) return postcards.

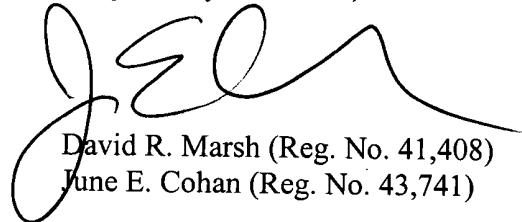
Submitted herewith is a sequence listing and a sequence listing in Computer Readable Form (CRF) on diskette, in compliance with 37 C.F.R. §§ 1.52(e), 1.77, and 1.823.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This application is a continuation of prior application no. 09/252,974 filed on February 19, 1999.

Applicants do not believe that any fees other than the basic filing fee (\$710) are due in conjunction with this filing. However, should any additional fees be required, the Patent and Trademark Office is authorized to charge any additional fees or credit any overpayment to Arnold and Porter deposit account 50-1824 referencing matter number 16517.257. This letter is submitted in duplicate.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

Enclosures

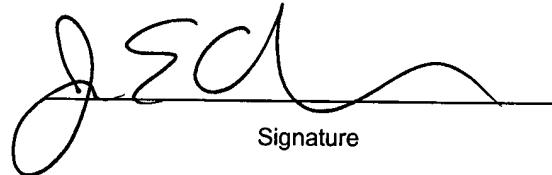
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Sherri M. BROWN, et al.
Title	Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway
Atty Docket Number	16517.257

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 19, 2001

Date



Signature

David R. Marsh (Reg. No 41,408)  
June E. Cohan (Reg. No. 43,741)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

F06760-97255660

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

01/20/2001 STEUWEL1 00000056 09955216

01 P00101 710.00 0P

PTO-1556  
(5/87)